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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,097	04/03/2001	John R. Hind	RSW920000158US1	4431

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EXAMINER

AHMED, FAROOQUE

ART UNIT PAPER NUMBER

2157

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/825,097

Applicant(s)

HIND ET AL.

Examiner

Farooque Ahmed

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 04/03/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/03/01</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to the application filed **05/10/2001**. Claims 1-20 are pending. Claims 1-36 Represent Improved Clickstream Data Collection Technique.

2. ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

3. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. US Patent No 6314541.

Landsman teaches the invention substantially as claimed includes a technique for implementing user-transparent network-distributed advertising in response to user click-stream (See abstract).

As to claim 1, landsman teaches an improved click stream data collection over a series of related messages exchanged between computers in a networking environment comprising steps of:

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determining a clickstream tag to be applied to the related messages (See abstract, col 16 lines 55-67col 17 lines 1-50; col 21 landsman disclosed advertisement are played on client web page in response to a clickstream);

annotating each of the related messages, except a first incoming one therefor with information reflecting the determined clickstream tags (see col 13 line 22-67; col 16 lines 20-67 col lines 1-50,landsman disclosed client side accounting of each user web content and log entry by the ad control applet based on clickstream)

transmitting at least one of the annotated messages for delivery to a particular one of the computers (see col 9, 10, landsman disclose advertisement files are download on client on client computer).

Landsman fails to teach the limitation of correlator value.

Landsman does teach advertisement tag (See abstract, col 16 lines 55-67col 17 lines 1-50; col 21 landsman disclosed advertisement are played on client web page in response to a clickstream);

It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify landsman by specifying advertisement tag as correlator values since the same functionality of rendering the advertisement on web pages based on clickstream navigation is achieved.

In reference to claim 2, landsman teaches the method as in claim 1, wherein the clickstream correlator value indicates whether clickstream data collection is being

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performed (col 9 lines 53-63; col 10; landsman disclosed HTML (advertisement tags) in user cache and response to user clickstream).

In reference to claim 3, landsman teaches the method as in claim 1, wherein the clickstream correlator value is used to correlate stored log entries created for the related messages (col 13 lines 25 67 landsman disclosed client side accounting of each user web content and log entry by the ad control applet)

In reference to claim 4, landsman teaches the method as in claim 1, wherein further comprising the step of storing the determined clickstream correlator value for use when transmitting subsequent ones of the related messages to the particular computer (see figs 6 col 10; col 11 lines 25-60; col 16 lines 55-67 landsman disclosed Init Transition sensor event from browser subsequently play media files on Clint browser on user click-stream).

In reference to claim 5, landsman teaches method of claim as it recited in claim 1, wherein the particular computer is a client computer and the transmitting step transmits one of the annotated messages to the client computer (see col 16 line 55,67 landsman disclosed where server download ad to client browser);

Further comprising steps of receiving the transmitted annotated message at the client computer (See col 16 line 55,67 landsman disclosed where server download ad to client browser);

Automatically retuning the determined clickstream correlator value to a server computer in each subsequent one of the related messages (see col 17 lines 1- 25 landsman disclosed indicial files are retrieved in proxy server).

In reference to claim 6, landsman teaches the method as in claim 5, wherein the transmitted annotated message includes an object reference that is annotated to carry the determined clickstream correlator value, and wherein the automatically returning step is enabled by the annotation of the object reference (See abstract figs 1A, 1B,col, 23 lines5-67 Landsman disclosed web page is embedded with HTML tag).

In reference to claim 7, landsman teaches the method as in claim 1, wherein at least one of the annotated messages is a response that serves a Web page to the particular computer (See col 17 lines 1-50; col 19 lines 3-30 landsman disclosed where client web bowers then issues URL for the web page).

In reference to claim 8, landsman teaches the method as in claim 1, wherein at least one of the annotated messages is a request from the particular computer for a Web page (see col 19 lines 3-30 landsman disclosed where client web bowers then issues URL for the web page).

In reference to claim 9, landsman teaches the method as in claim 1, wherein at least one of the annotated messages is a request from the particular computer for a Web object (See col 19-lines 3-20; col 21 lines 13-30 landsman disclosed where client predefined information on web bowers).

In reference to claim 10, landsman teaches the method as in claim 5, wherein at least one of the annotated messages is a response that serves a Web page to the particular

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computer and wherein at least one of the subsequent ones of the related messages is a request for information referenced by the Web page (See col 10;col 22 lines 27-67;col 23 lines1-3; col26 lines 26-44, Landsman disclosed user engendered mouse click where browser fetch the next web page to which user desire to transition)

In reference to claim 11, landsman teaches the method as in claim 5, wherein at least one of the annotated messages is a response that serves a Web page to the particular computer and wherein at least one of the subsequent ones of the related messages is a request for information selected from the Web page by a user of the particular computer (See col 10,11;col 22 lines 27-67;col 23 lines1-3, col26 lines 26-44 Landsman disclosed user engendered mouse click where browser fetch the next web page to which user desire to transition)

In reference to claim 12, landsman teaches the method as in claim 4, wherein the storing step stores the determined clickstream correlator value in a server computer (See col 28 lines 15-67 landsman disclosed content files are stored in agent server in response to Transition sensor init event).

In reference to claim 13, landsman teaches the method as in claim 2, further comprises storing the information reflecting the determined clickstream correlator value as part of a routing token in the annotated messages (See col 13 lines 26- 60; col 19 lines 27-67 landsman disclosed In response to user where applet tag routed to advertisement server who displays web content based on user navigation.)

In reference to claim 14, landsman teaches the method as in claim 13.

Wherein the routing token is used to modify a Uniform Resource Locator from a header of selected ones of the related messages (see col 11 lines 40–60 landsman disclosed collectively Advertisement Tags and other of its component encapsulates in URL, which specify web advertisement).

In reference to claim 15, landsman teaches the method as in claim 13, further comprises information enabling identification of the particular computer and another computer, which performs the transmitting step, as well as identification of a storage area used to store the determined clickstream correlator value for the related messages (see col 1 landsman disclosed (col 13 lines 25-67; landsman disclosed client side accounting of each user web content particularly user web page user address).

In reference to claim 16, landsman teaches the method as in claim 1, further comprising the steps of using the determined clickstream correlator value when logging records reflecting the annotated messages', and using the logged records to reconstruct a user's navigational experience during the series of related messages. (See col 13 lines 27 where landsman disclosed web advertisement is provided to user based on user navigation log entry).

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As claim 17, landsman teaches a computer program product for providing improved clickstream data connection over a series of related messages exchanged between computers in a networking environment, the computer program product embodied on one or more computer-readable media and comprising:

A) Landsman fails to teach the limitation of correlator value.

Landsman does teach advertisement tag (See abstract, col 16 lines 55-67; col 17 lines 1-50; col 21 landsman disclosed advertisement are played on client web page in response to a clickstream);

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to modify landsman by specifying advertisement tag as correlator value where tag (HTML codes) perform the same functionality by rendering the advertisement on Clint web based on clickstream navigation.

Lands man fails to teach the annotating each of the related messages, except a first incoming one thereof. Landsman does teach Ad control entries upload in server, which produced by the user next navigated impression (see col 13 line 22-67; col 16 lines 20-67 col lines 1-50)

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to modify landsman by specifying the first web entry in server with clickstream correlator value functionality.

computer-readable program code means for transmitting at least one of the annotated messages for delivery to a particular one of the computers. (See col 9, 10, landsman disclose advertisement files are download on client on client computer).

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In reference to claim 18, landsman teaches method claim 17, wherein the clickstream correlator value indicates whether clickstream data collection is being performed and is used to correlate stored log entries created for the related messages (col 9 lines 53-63; col 10,11; landsman disclosed HTML tags in user cache and response to user clickstream).

In reference to claim 19, landsman teaches method in claim 17, further comprising computer-readable program code means for storing the determined clickstream correlator value for use when transmitting subsequent ones of the related messages to the particular computer (see figs 6 col 10; col 11 lines 25-60; col 16 lines 55-67 landsman disclosed Init Transition sensor event from browser subsequently play media files on Clint browser on user click-stream)\*

In reference to claim 20, landsman teaches the method as in claim 17, wherein the particular computer is a client computer and the computer-readable program code means for transmitting transmits one of the annotated messages to the client computer, and further comprising: (see col 16 line 55,67 landsman disclosed where server download ad to client browser);

Computer-readable program code means for receiving the transmitted annotated message at the client computer' and computer-readable program code means for automatically returning the determined clickstream correlator value to a server computer in each subsequent one of the related messages. (See col 17 lines 1- 25, landsman disclosed indicial files are retrieved in proxy server).

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In reference to claim 21, landsman teaches the method as in claim 20, wherein the transmitted annotated message includes an objects reference that is annotated to carry the determined clickstream correlator value, and wherein the computer-readable program code means for automatically returning is enabled by the annotation of the object reference. (See abstract figs 1A, 1B,col 10;col 16 lines 20-67; col 23 lines 5-67, Landsman disclosed web page is embedded with HTML tag).

In reference to claim 22, landsman teaches the method as in claim 22, wherein at least one of the annotated messages is a response that serves a Web page to the particular computer and wherein at least one of the subsequent ones of the related messages is a request for information referenced by the Web page. (See col 17 lines 1-50; col 19 lines 3-30 landsman disclosed where client web bowers then issues URL for the web page).

In reference to claim 23, landsman teaches the method as in claim 20, wherein at least one of the annotated messages is a response that serves a Web page to the particular computer and wherein at least one of the subsequent ones of the related messages is a request for information selected from the Web page by a user of the particular computer (See col 17 lines 1-50; col 19 lines 3-30 landsman disclosed where client web bowers then issues URL for the web).

In reference to claim 24, landsman teaches method in claim18,  
Wherein the computer-readable program code means for annotating further comprises computer-readable program code means for storing the information reflecting the determined clickstream correlator value as part of a token in the annotated messages (See

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col 13 lines 26- 60; col 19 lines 27-67 landsman disclosed In response to user where applet tag routed to advertisement server who displays web content based on user navigation.)

In reference to claim 25, landsman teaches the method as in claim 24,where routing token is used to modify a Uniform Resource Locator from a header of selected ones of the related messages (. (see col 11 lines 40-60 landsman disclosed collectively Advertisement Tags and other of its component encapsulates in URL, which specify web advertisement).

In reference to claim 26, landsman teaches the method as in claim 17 computer-readable program code means using the determined clickstream correlator value when logging records reflecting the annotated messages', and using the logged records to reconstruct a user's navigational experience during the series of related messages. (See col 13 lines 27 where landsman disclosed web advertisement is provided to user based on user navigation log entry).

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Claims 27-36 do not teach or define any new limitations above claims 1-26 and therefore are rejected for similar reasons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farooque Ahmed whose telephone number is 703-605-4212. The examiner can normally be reached on M-F 8:30 to 5:00

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Farooque Ahmed/Examiner  
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**SALEH NAJJAR**  
**PRIMARY EXAMINER**